

**CALL TO ORDER**

Mayor Cooper called the meeting to order at 7:30 p.m. and stated that in compliance with the “Open Public Meetings Act” this Meeting was duly noticed to the Hunterdon County Democrat on January 9, 2014 and the Express Times on January 9, 2014; the Agenda has been posted at Borough Hall and distributed to the Courier News, the Express Times, the Hunterdon County Democrat, and the Star Ledger on October 1, 2014.

**FLAG SALUTE**

Mayor Cooper asked everyone to stand for the flag salute.

**ROLL CALL**

Present for the Meeting:

Seth A. Grossman  
Cathy Leach  
Seth A. Grossman  
Michele Liebttag  
William Sullivan

Absent from Meeting:

Robb Arent  
Jack Opdyke

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 25 members of the public were also present.

**PUBLIC HEARING**

**Ordinance #751 - An Ordinance to provide for the purchase of the MSCJ Finance Super Suite I for the Borough of Frenchtown, in the County of Hunterdon, New Jersey and appropriating \$2,750.00 from the Sewer Capital Improvement Fund**

The Mayor and Common Council approved to open the public hearing on Ordinance #751 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #751 by favorable voice vote.

**PUBLIC COMMENTS**

The Council approved to open the public comment session.

**PennEast Pipeline Presentation**

Mayor Cooper noted that the PennEast Pipeline representative will not be here this evening. PennEast, who will lay a pipe line through Hunterdon County, was to be here tonight to describe the project and answer questions but had a conflict and was going to Holland Township tonight. The pipeline is going directly through Holland and will affect people there. The pipeline will not come through Frenchtown although the easement grazes one property in Frenchtown. They agreed to come to the November 5<sup>th</sup> Council meeting. Also, the spokesman for PennEast assured him that despite rumors to the contrary there is no plan to run the pipeline along the river underneath the towpath.

Michele Liebttag noted that the part time officer that we hired at the last meeting is here for us to meet and welcome him on board. The Council would like to hire him full time but we are unable to

confirm that sufficient funds exist in the medical benefits line item to carry through the year. The law requires that we have certification from the Chief Financial officer. We have crafted a resolution that would approve full time pending confirmation of available funds. Michele Liebttag introduced Robert Young and welcomed him aboard. She added that we hired him last month as a part time officer. He was a police officer in Bordentown for 10 years and is now in Frenchtown. Chief Kurylka noted that with Matt Kelly taking another job, we advertised for a part time position but with Matt Kelly taking another job, we need to fill the full time position. Robert Young showed an interest in the full time position. Subsequent to speaking with parents, teacher and the town people, Robert Young will fill the full time position adequately and will bring his experience to the table. We welcome him.

On motion by Seth A. Grossman, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved resolution #2014-91 as follows:

**RESOLUTION No. 2014-91**

**Appoint Robert Young, Jr. as full-time Police Officer for the Borough of Frenchtown**

**WHEREAS**, the Borough Council of the Borough of Frenchtown and the Frenchtown Borough Police Department shall require the services of a Police Officer beginning October 8, 2014 and

**WHEREAS**, the Frenchtown Borough Police Chief has reviewed Officer Robert Young Jr.'s application, qualifications, background check, medical examination, psychological examination, Police Training Commission qualifications and pension eligibility requirements and has found them all to be acceptable, and

**WHEREAS**, the Chief Financial Officer has determined that there are sufficient funds available in the Police Salary and Wage line item of the municipal budget to pay for this employee but the Chief Financial Officer has not yet determined that there are sufficient funds in the Medical Benefits line item.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, that, effective October 8, 2014, Robert Young, Jr. be appointed as Full-time Police Officer at the hourly basis at \$20.00 per hour pending confirmation from the Chief Financial Officer that there are sufficient funds in the Medical Benefits line item of the municipal budget to cover this employee.

**BE IT FURTHER RESOLVED**, that Officer Robert Young, Jr. will serve a minimum of one year in the position of Police Officer as a probationary period being subject to probationary status.

**BE IF FINALLY RESOLVED**, that upon satisfactorily completing his probationary period, with the approval of the Chief of Police and the Frenchtown Borough Council, Officer Robert Young, Jr. will be permanently appointed as a Full-time Police Officer.

---

Warren E. Cooper, Mayor

ATTEST:

October 1, 2014

---

Brenda S. Shepherd, RMC  
Borough Clerk

Robert Young's daughter held the Bible as the Oath of Office was administered to Robert Young. Robert Young accepted his Oath of Office.

**Gazebo at Old Frenchtown Field – Patty Wilson**

Mayor Cooper noted that Patty Wilson is not here this evening.

Mayor Cooper noted that he asked Dominikija Prostack to talk about the Green Team. Dominikija Prostack stated that at the last meeting, we asked Council to look at allowing us to have a clothing shed which would be supplied by a company called Turn Key Enterprises. We do have Good Will bins at Plessey field. We do not get money back from Good Will. With the clothing collection, we would get a monthly check which we would like to put in the Green Team account. The goal is to continue the sustainable Green Team. This is a way to support the Green Team with a monthly income without using taxpayer dollars. The goal is to have a clothing shed at the recycling center as opposed to Plessey field. This company does put a sign up that indicates who the clothing benefits. They also have what is accepted and not accepted. The company will have a key to collect the clothing and will leave a key with the town so we can move things. Michele Liebttag asked if the clothing would be dropped off at the same time as the recycling center drop off. Dominikija Prostack stated that the brush is allowed to be brought in between 8:00 am and 4:00 pm as well as the last Saturday of the month. She would love to see those hours for clothing drop off as well. Cathy Leach noted that those hours may not continue. Michele Liebttag stated that we will have to talk to Mike Reino. William Sullivan noted that it should be easily accessible. Dominikija Prostack noted that the company will come every two weeks to pick up. Mayor Cooper asked who would be responsible? Dominikija Prostack stated that the Green Team would be responsible for everything that is left and we would be responsible to put everything in the shed if it is left outside. The Green Team on a regular basis would move the clothing. Mayor Cooper asked about the insurance. Ms. Prostack stated that she will get a copy of the insurance from the company and added that they are a member of the New Jersey Recycling Association. There are quite a few locations throughout the state. Responding to Michele Liebttag, Ms. Prostack noted that the company resells and auctions the clothing. There are no stores. She spoke with Mike Reino about it. Mayor Cooper noted that this would benefit us and the Green Team. William Sullivan stated that he likes the goal to be sustainable.

As to the four parking space in front of the old gas station next to Monkey Mill, Dorsey Reading noted that he presented a petition to council to consider limiting parking times. There are eight retail spaces from the bicycle shop to the end of his building and eight apartments. This area in town has no parking for any of those business. There are 40 parking spaces from the end of Bridge Street to Race Street. He asked that the 4 spaces be turned into short term parking. That is 10% of the 40 parking spaces and does not include the public lots. There are a lot of older people that are going to or already live in the apartments. They are carrying groceries from Kathy's General Store. Dorsey Reading noted that he spoke with the Chief and the Chief understands that there is loading

and unloading that will occur at times. The anchor of the building will be the Frenchtown Pharmacy. They will need more than two spaces and that is why he presented the petition. It will help the downtown. They are open 7 days a week. During the day time, those spaces are full. He asked Council to give consideration for one space to become handicap and the other three to have a shorter time limit.

Sandy Bulgish, owner of Yellow Dog, noted that she is here every day and when people want to buy dog food and they are not parked in front of the store, they do not want to carry heavy bags a distance. It is not helping the business.

Molly Sumner stated that she concurs.

Al Guide from the Frenchtown Pharmacy commented that he wanted to emphasize that although the business will be directly affected, it will also be good for the people to have a chance to find a parking spot. It will be good for the pharmacy customers. He is leaving the space on Kingwood Avenue.

Skye Van Saun stated that she gives her support for the parking change for the same reason of having to drive around to find a spot. It will benefit the pharmacy and she also has personal feeling about Yellow Dog.

Skye Van Saun also commented that as to the pipeline, during Riverfest, they had a booth and said that all of Frenchtown is within the distance where the town would have to be evacuated.

Skye Van Saun noted that she is in favor of a Zombie Crawl. Zombies are in. One town has a zombie race and dog zombie.

Caroline Scutt, owner of the Book Garden and President of the Business Association, thanked the Council for supporting all the events they had. The events went well. She also thanked the police for their support. Ms. Scutt also commented that she would love to see a Zombie Crawl and limiting the parking as discussed is a great idea.

Jane Summer, customer of Yellow Dog, stated that she supports the parking and also supports the Zombie Crawl.

Val Keshner commented that the limited parking spots would be great. If you live in that corner, you are illegal. Chief would issue tickets for unloading groceries. She is all for it.

Having no other comments, the Council approved to close the public comment session.

## **DEPARTMENT HEADS REPORTS**

### **Fire Department**

Mike Atheras reported that it has been a very quiet summer. There were no fatalities on the river. It has been a slow year all around.

Mike Atheras stated that the Fire Department has been handing out applications but they do not get

too many back.

Mike Atheras reported that the Fire Department has been paying for the price of physicals and background checks for new members. Most of them are already inoculated for Hepatitis B & C. They are using their operating budget to pay for the physicals, background checks and inoculations. He requested that the Fire Department line item be increased.

Mr. Atheras asked about the status of the furnace for the Fire Department. He noted that the furnace was checked by Hartford last year and passed but needs to be replaced. The side of the furnace is falling out. We have no heat at this point.

As to the apparatus replacement, Mike Atheras noted that he spoke to Michele about it and she has the details. We need new apparatus.

As to the sidewalk replacement in front of the Fire House, Mike Atheras noted that when they resurfaced the street, they did not put a highway thickness in front of the fire house and it is now breaking apart. He understands that the town is working on a sidewalk project throughout town. Mayor Cooper noted that they did an analysis of the safe streets and sidewalks and the area in front of the firehouse is part of that.

Mike Atheras also noted that the fire department training area was down at the sewer plant. Once everything is done, we want to move back into that area. We cannot do what we normally do for training. If it cannot be there, we need another area. The sewer plant is a nice spot because it is at the edge of town and the closest house is 500 feet away. We work at night with saws, etc. Mayor Cooper responded that we will need to work that through. Mike Atheras noted that when the council gave us that area back then, most people on the Council today were not here. Mayor Cooper noted that the Council is aware of the furnace issue.

#### **Milford Holland – Diane Lutz**

Diane Lutz provided the attached report and noted that she broke down the number for the mutual aid area showing how many calls, total calls, and percentages at the bottom. Frenchtown is lowest by 1 call. Everything is going well. They had no issues with Frenchtown and everyone is receptive and nice to us. It is working out well. We have the same amount of members. We keep 10 paid staff members and have coverage 7 days a week.

Diane Lutz requested that the Council write the letter that the County needs. Michele Liebttag noted that she spoke with Harry Heller and Attorney Cruz and she will send the letter tomorrow. Responding to William Sullivan, Diane Lutz noted that they do not pay for physicals, background checks, etc. Mayor Cooper noted that Frenchtown had 125 calls this year which is lower than last year.

Chief Kurylka thanked Diane Lutz for their expertise and professionalism. No one knows what it is like to do CPR on an individual and Milford Holland Rescue is here in minutes. They are a valuable asset. Responding to Chief Kurylka, Diane Lutz stated that they will do more with the school and have a drill. We want to have Frenchtown as part of our community. Chief Kurylka added that every member of the organization has that attitude. Mayor Cooper asked Diane Lutz to

share the town's appreciation with everyone.

**Sewer Department – Victor Gilardi**

Victor Gilardi reported that the old plant is still operating and he is still passing the tests. September's daily flow was 170,000 gallons per day. The maximum allowed is 150,000. The rainfall total was 1.58 inches which is  $\frac{3}{4}$  less than the month before.

Victor Gilardi also reported that Tomar was installing the UV system. He spoke to Engineer Timothy Bradley who noted that the new plant is about 98% finished. All the blacktop and landscaping is complete and the administrative building is painted.

Victor Gilardi noted that he had a class with Tomar on the Skater program. They were suppose to give us a laptop computer according to the bid specs. The Skater system is a program that operates the facility by a laptop and he can view every area of the system. They do not want me to add any additional information to the laptop for this system. He would like to get another laptop to do other work and to take it home so he can also see the Skater system from home. He went to staples and found one on sale that will fit his needs. It sells for \$800.00 and if he can purchase it by 10/4/14, he can get it for \$650.00. Jack Opdyke and Robb Arent know about it. Responding to Mayor Cooper, Victor Gilardi stated that he does not have confirmation from Jack Opdyke or Robb Arent. William Sullivan commented that he believes you can get a laptop cheaper. Mayor Cooper commented that the laptop is something that Victor Gilardi needs to replace the one that is no longer functioning. He asked Victor Gilardi if he discussed it with Rivernet? Victor Gilardi responded the he did. Mayor Cooper noted that we need confirmation that the laptop can accommodate the operating system for the plant and what you need to do. Victor Gilardi noted that he has been using a laptop from Adam Liebttag for the last 4 months. He was suppose to get a new computer. Mayor Cooper stated that he does not recall that there was a recommendation from the sewer committee. Victor Gilardi commented that he will let the committee work it out but he will need a new computer when the plant goes on line. The State wants all the reports done electronically.

Victor Gilardi also noted that he will need to have Daniele Lattig go through all the electric bills and make a spread sheet up for all the electrical bills from January 2012 to present. We need to calculate the difference in electric and what the increase was for that time period. Tomar ran power cords and used our electricity. He would like to pay Daniele Lattig out of the sewer budget to do this. He does not have time do to that. Also, Victor Gilardi noted that the contractor will be putting in the soapstone countertop for less money.

Victor Gilardi reported that he is also negotiating with two lab equipment companies. When we did the bid specs, the lab equipment he will need to run the new plant was not included because we did not want the contractor to purchase it. We can use the grant money to purchase the lab equipment. He will use the old refrigerator but the new equipment will be about \$8,000.00. He has to examine the biological life. He explained the biological life of the system and the limits. Adam Liebttag added that you have a lab company that does periodical testing but Victor Gilardi has to test every day. It was not included in the project cost because there was a concern about the company subcontracting for the equipment. We will spec it out with the engineer to find the best package. It was a good decision to not let a construction company do the lab service equipment. We will let the engineer spec it out and let the Committee know. As far as the labtop goes, Jack Opdyke would say "yes" and he would tell you that. Also, currently there is no internet. He has lent Victor Gilardi a

laptop. The laptop in the bid specs was only to manage the scater system. Seth A. Grossman recommended that Victor Gilardi, Jack Opdyke and Adam Liebtag look at it and provide a recommendation from Rivernet that meets the specs you need

Victor Gilardi commented that he sent Council letters over the past few year about John Butler who was the first sewer plant operator and was there 25 years. He only took one weekend a years off to watch his son play ball. He would like to honor John Butler by naming the Administration Building after him. It would be a nice gesture for a man who gave his life to Frenchtown. Mayor Cooper stated that the Committee should make a recommendation. He asked Victor Gilardi to get some background information on John Butler. Mayor Cooper added that John Butler single handedly built the ice skating rink.

Victor Gilardi noted that they gave Tomar a 3 ½ page start up letter with the procedures. We need all the vendors to verify that their equipment works correctly. Next week, we will turn everything on and send the water into a circle to verify that everything is working correctly. He will seed the plant when we get the Certificate of Occupancy. Then, he will verify that the bugs are multiplying at the right rate with the lab equipment. Then, once that happens, then it will go out to the river. Nothing will go into the river until it is polished. We should be on line in the beginning of November. He has to find out when the new permit will go into effect. Mayor Cooper thanked Victor Gilardi and stated that he may ask Victor Gilardi to come back and give us an update. Victor Gilardi thanked Ron Sworen, Adam Liebtag and Robb Arent for getting this project off the ground. When the plant is done, he will give everyone a tour.

#### **CONSENT AGENDA**

All matters listed on the Consent Agenda are considered to be routine by the Governing Body and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

On motion by William Sullivan, seconded by Michele Liebtag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving Resolution #2014-89 as follows, the bills list dated 10/1/14 and the Opdyke voucher all attached:

#### **RESOLUTION 2014 –89**

#### **REMITTAL OF UCC FINES**

**WHEREAS**, the Joint Court of Delaware Valley collected fines on UCC violations in the amount of \$1500.00 on Block 44, Lot 3 and Block 15 lot 6.02.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council, County of Hunterdon and State of New Jersey that the Chief Financial Officer be authorized an issue a check to the City of Lambertville in the amount of \$1500.00 for the fines collected by the Joint Court of Delaware Valley on Block 44, Lot 3 and Block 15 lot 6.02.

---

WARREN E. COOPER, Mayor

Attest:

October 1, 2014

---

Brenda S. Shepherd, RMC  
Borough Clerk

**APPROVAL OF MINUTES - Regular Meeting – September 3, 2014**

On motion by Michele Liebttag, seconded by Seth A. Grossman and carried by favorable roll call vote, the Mayor and Common Council approved the minutes of the Regular Council meeting of September 3, 2014 with Cathy Leach abstaining.

**APPROVAL OF EXECUTIVE SESSION MINUTES - Executive Session – August 6, 2014**

On motion by Cathy Leach, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the Executive Session meeting minutes of August 6, 2014.

**RESOLUTION**

**Resolution #2014-90 – Resolution Authorizing the issuance of not exceeding \$1,036,582 Bond Anticipation Notes of the Borough of Frenchtown in the County of Hunterdon, New Jersey**

Mayor Cooper noted that this resolution will authorize the renewal of the Bond Anticipation Notes that are preexisting. On motion by Seth A. Grossman, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-90 as follows:

**RESOLUTION #2014-90**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING  
\$1,036,582 BOND ANTICIPATION NOTES OF THE BOROUGH OF FRENCHTOWN,  
IN THE COUNTY OF HUNTERDON, NEW JERSEY.**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AS  
FOLLOWS:**

Section 1. Pursuant to a bond ordinance of the Borough of Frenchtown (herein called “the local unit”), entitled: “Bond ordinance toward the COAH Housing Contract with the Hunterdon County Housing Corporation, in and by the Borough of Frenchtown, in the County of Hunterdon, New Jersey and appropriating \$50,000 therefor and authorizing the issuance of \$47,500 bonds or notes of the Borough to finance part of the cost thereof”, finally adopted on April 3, 2002 (#590), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$15,046 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 2. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance amending bond ordinance no. 597 finally adopted December 4, 2002 in and by the Borough of Frenchtown, in the County of Hunterdon, providing for the installment of bike lanes and related improvements along Trenton Avenue in the Borough of Frenchtown, in the County of Hunterdon, New Jersey, appropriating \$395,000 therefor, including a \$250,000 grant expected from the New Jersey Department of Transportation, and authorizing the issuance of \$137,750 bond or notes of the Borough to finance part of the cost thereof”, finally adopted on December 3, 2003 (#605), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$92,328 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the installation of a park and ride and related improvements along River Road and providing for a village green along the Delaware River, for and by the Borough of Frenchtown, in the County of Hunterdon, New Jersey, appropriating \$825,000 therefor, and authorizing the issuance of \$783,750 bonds or notes of the Borough to finance part of the cost thereof”, finally adopted on March 1, 2006 (#639), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$83,472 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor

Section 4. Pursuant to a bond ordinance of the local unit, entitled: “Bond ordinance providing for construction costs for Railroad Avenue improvement project sections 1, 2 and 3 for and by the Borough of Frenchtown, in the County of Hunterdon, New Jersey, appropriating \$700,000 therefor, including \$480,000 expected to be received as three separate NJ Trust Fund Grants expected to be received from the State of New Jersey Department of Transportation, and authorizing the issuance of \$665,000 bonds or notes of the Borough to finance part of the cost thereof”, finally adopted on March 3, 2010 (#683), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$179,736 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 5. Pursuant to a bond ordinance of the local unit, entitled: “Bond ordinance appropriating

\$700,000, and authorizing the issuance of \$666,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Frenchtown, in the County of Hunterdon, New Jersey”, finally adopted on September 27, 2012 (#720), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$666,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 6. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 5 described, shall be combined into a single and combined issue of bonds in the principal amount of \$1,036,582.

Section 7. The following matters in connection with said Bond Anticipation Notes are hereby determined:

- (a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or treasurer of the local unit (the “chief financial officer”), provided that no note shall mature later than (i) one year from the date of the first note issued hereunder and (ii) three years from the date of the first note issued pursuant to the bond ordinance referred to in Sections 1 to 5 hereof, unless the local unit shall have been paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;
- (b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and
- (c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 8. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer’s signature upon said notes shall be conclusive as to such determinations.

Section 9. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 10. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an

amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 11. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 12. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 13. This resolution shall take effect immediately.

Upon motion of Seth A. Grossman, seconded by Cathy Leach, the foregoing resolution was adopted by the following vote:

**AYES:** Grossman, Leach, Liebttag and Sullivan

**NOES:** None

### **CERTIFICATE**

I, **BRENDA S. SHEPHERD**, Borough Clerk of the Borough of Frenchtown, in the County of Hunterdon, New Jersey, **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the Borough Council of said Borough, duly called and held on October 1, 2014, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Borough, and is a true, complete and correct copy thereof and

of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of said Borough this 1st day of October, 2014.

(SEAL)

---

Brenda S. Shepherd  
Borough Clerk

**ORDINANCE**

**Ordinance #751 – An Ordinance to provide for the purchase of the MSCJ Finance Super Suite I for the Borough of Frenchtown, in the County of Hunterdon, New Jersey and appropriating \$2,750.00 from the Sewer Capital Improvement Fund (Adoption)**

On motion by Michele Liebttag, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of Ordinance #751 as follows:

**BOROUGH OF FRENCHTOWN**

**ORDINANCE 751**

**AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF THE MCSJ FINANCE SUPER SUITE I FOR THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$2,750.00 FROM THE SEWER CAPITAL IMPROVEMENT FUND.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FRENCHTOWN IN THE COUNTY OF HUNTERDON, NEW JERSEY, AS FOLLOWS:

Section 1. The improvement described in Section 2 of the ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Frenchtown, New Jersey. For the said improvement or purposes described in Section 2, there is hereby appropriated the sum of \$2,750.00, said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Borough of Frenchtown hereby authorizes the purchase of the MCSJ Finance Super Suite 1 for the Borough of Frenchtown.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work,

acquisition or improvement is not a current expense of the Borough of Frenchtown, but rather a capital expense and the Borough of Frenchtown's estimated cost of said work, acquisition or improvement is \$2,750.00.

Section 4. The sum of \$2,750.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$2,750.00 from the Sewer Utility Capital Improvement Fund of the Borough of Frenchtown for said purpose as required by law and now available therefore in one or more previously adopted budgets.

Section 5. No debt of any kind is authorized for this undertaking.

Section 6. This ordinance shall take effect immediately upon adoption according to law.

---

Warren E. Cooper, Mayor

ATTEST:

---

Brenda S. Shepherd, RMC  
Borough Clerk

## **NEW BUSINESS**

### **Parking downtown**

Mayor Cooper stated that we heard requests to convert 4 spaces on eastern edge of Race Street to short term parking. The recommendation was for half hour parking. Seth A. Grossman commented that the parking issue was brought up in the Downtown Revitalization committee who felt that one size does not fit all. He sees the value of short term parking. This may also trigger looking at some of the other parking downtown. Is the parking servicing customers well? There is a strong argument for why there is a need for short term parking. It is a value to residents and not just businesses. The idea of putting handicap parking in should be considered if it is the appropriate place. Chief Kurylka would know more about that. Cathy Leach commented that the committee did not specifically identify parking spaces. Michele Liebttag commented that it may be worth looking into that DEP lot and what we could do for long term parking perhaps allowing us to utilize it for motorcycling parking. Attorney Cruz noted that there is a process to amend the parking ordinance. Sections 7-11 is the section of the ordinance locating parking spots and time limits. There is also a section that deals with handicap parking which is section 7-35. The amendments are done by ordinance. Seth A. Grossman stated that he would like to hear from Chief Kurylka about the handicap parking and the idea of enforcement. Chief Kurylka responded that there is only so much we can do to enforce parking. He has been here long enough to see changes. State law says you are allowed up to 15 minutes as long as it is safe. He is all for helping the businesses and residents. He fought to get the parking back at the Race Street intersection and with the help of the Mayor, we got those spots back. He disagrees that all four spots should be 15 minutes. It would not be a problem if all 4 were 30 minutes and one was handicapped. We get that there is a problem in that area. He wants whatever will be best and safest for the town. As far as enforcement, people would have to let us know or we would have to ride around it. It is hard to police. The volume of

calls and traffic is picking up and we cannot dedicate one guy to do that.

William Sullivan commented that people who pay attention to the sign, will pay attention to the spot. He would like to see all the spots the same so signage is easy, 3 spots and 1 handicap. Mayor Cooper noted that the issue is the enforcement aspect. Chief Kurylka stated that he has not been on his people to aggressively enforce the 2 hour parking because we want the business. Store owners will hear it and then, he will hear it. It has to be simple. Mayor Cooper noted that we will have to change the ordinance. The issue of parking is something the Business Association has been fretting over for a long time. Would council be willing to hear a presentation from a parking expert to give us an approach to solve all the problems that would enhance the respect for visitors, residents, and businesses. Chief Kurylka stated that he supports that. The volume is increasing. Michele Liebttag noted that the two hour parking is only on the street. Parking overnight is a special parking permit for the park and ride, the Citgo lot and the lot at Front and Lott Street. The lot by Wine Italiano is not limited. Mayor Cooper stated that someone should school us on parking and what is the right approach. The Safe Streets and Roads committee looked into this and had other concerns about lines of site, etc. That will feed into the parking decisions we make. Seth A. Grossman stated that you want to have parking based on the types of businesses you have. Restaurants need more time and retail does not. He is seeing a lot of support for shorter term parking. We do need to look for long term solution. Mayor Cooper stated that he will see if we can get someone in for the November meeting. Henry Raye, member of the public, commented that he does not think an outsider would consider what a local person would do. Michele Liebttag stated that we need a shorter term solution immediately. Cathy Leach commented that she wants Jack Opdyke and Robb Arent's input. William Sullivan recommended that we propose an ordinance for next meeting and we can discuss it and edit it on the spot. Mayor Cooper stated that the proposal will be the 4 parking spaces on the east side of Race Street be converted to 30 minute time limit with 1 also designed as handicapped. Chief Kurylka stated that he will look at the law for the time limit on handicap spots. Seth A. Grossman recommended that the handicap spot be the one closest to the pharmacy, on the southern end. Mayor Cooper commented that there are no crosswalks until the intersection. Subsequent to public comments about the motorcycle parking, that signage, and pedestrian traffic there, Dorsey Reading noted that the DEP wanted to be able to remove the sign to do their testing. Brendan Evans commented that cars are parking in the motorcycle lot showing us that more automobile parking is needed. Motorcycles are not parking there. Janet Factor stated that the entrance to the motorcycle parking is in the middle of those parking spots. She suggested asking a parking expert. Mayor Cooper stated that a draft ordinance to amend the parking will be brought to the next Council meeting and will be discussed.

### **Approval of Frenchtown Zombie Crawl on 10/25/14 by Frenchtown Business and Professional Association**

Molly Sumner stated that they want to do a zombie themed events in town. People would dress up and walk through town as though we are invading town. The Business Association loved the idea and so did individuals in town. She wanted to see if we could do it with the children's parade. We would want to run the event prior to the parade. You would have more spectators for the parade. The plan was to have registration and make up by air ferior would be available. We would be asking those individuals that want make up to pay for supplies. Any contest would be for people dressed up. Once signed in, we will send individuals to a specific areas of town and conclude back at TD Bank. Looking for town's approval and input about the time of the event. We have a set of rules that everyone must comply with. We would cap the registration at 50 to 100. We will give something for participants to wear so they can be recognized. Participants will sign a waiver and agree to the rules. Mayor Cooper suggested that it be coordinated with the Halloween Parade.

Molly Sumner noted that the Zombie Crawl will start at 5:00 and end at the bank at 6:00. Judging will be far enough apart so that the crowd is not split.

### **Halloween parade**

Henry Rey noted that the Halloween Parade is October 25<sup>th</sup> at 7:00 pm. It will start at the bridge and end at the Legion. Then the affair at the Legion starts at 7:30 pm. Chief Kurylka noted that he spoke to Bill Tinsman from the Legion and will confirm the time. He added that as to the Zombie Crawl he does not want anything that will be misconstrued as a weapon. Henry Rey noted that registration for the parade is at 6:30 pm.

On motion by William Sullivan, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the Zombie Crawl on October 25, 2014 starting at 5:00 pm at Bridge Street subject to all participants complying with the rules and subject to coordinating the event with the Halloween Parade commencing at 7:00 pm at the bridge and ending at the American Legion.

Henry Rey added that as to John Butler, he has known him 65 years and has worked with him and knows the work he did in town. He is a good gentlemen and it is a good idea to honor him.

### **Annual Contract with Rivernet Computers**

Mayor Cooper noted that we heard from CFO Diane Laudenbach in reference to the school offering similar coverage slightly less expensive. We know that Rivernet handles all computer work for the Police, DPW, library and now sewer. We have a proposal from Rivernet Computer. They agreed that they would carry us month to month until the Borough makes a decision. Seth A. Grossman noted that the contract is the same as last year. We have not heard any complaints and have heard nothing but compliments. On motion by Seth A. Grossman, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Council approved the annual contract with Rivernet Computer commencing September 1, 2014 through August 31, 2015 at a cost of \$200.00 per month and support service fees as listed in the contract.

### **2015 Budget Calendar**

Mayor Cooper noted that he would like to ask the Administrative Committee to agree to meet once in next couple of weeks. He would also like Brenda Shepherd to send a note to the Department Heads to put a budget proposal together for 2015. Council consented.

### **Request to waive administrative fees for off-duty police services for Delaware Valley Education Foundation for 5K event on 10/19/14 -**

Mayor Cooper noted that we have a request from the Delaware Valley Education Foundation to waive the administrative fees for the off-duty services. Seth A. Grossman noted that the Council has waived the fees in the past. On motion by Seth A. Grossman, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to waive the administrative fees for the off-duty police services for the Delaware Valley Education Foundation's 5K event on 10/19/14.

### **Trick or treat**

Mayor Cooper noted that Trick or Treat has always been 6-8pm on Halloween. Council consent.

## **OLD BUSINESS**

### **Recycling – Food Waste recycling**

Michele Liebtag noted that there is a meeting on Friday regarding trash and recycling contracts with SWAC. She will call Alan Johnson to see if she can do a phone in for the meeting. There may be a possibility for shared services with a hauler agreement and looking to have schools and businesses a part of one contract, not just municipalities with municipalities or consolidation of contracts within a municipality. Mayor Cooper commented that there is a possibility of adding food waste to that discussion.

### **Wastewater Treatment Plant Facility update**

Mayor Cooper noted that Victor Gilardi provided the report earlier in the meeting.

### **Hilltop Streets**

Mayor Cooper noted that there is not to report at this time.

### **Sewer Committee recommendations re: Sewer rents and fees**

Adam Liebtag noted that he emailed everyone on September 14<sup>th</sup> and asked if anyone had any questions. The Sewer committee met on the 14<sup>th</sup> and sent an update. We will do two year phase in with a blended rate of a 50/50 formula. The usage and operation fee will be a flat fee. The second year there will be a shift to 75/25 with the 75% being a usage based fees. It would be applied to residential and commercial. The reason for the two year phase in is to step into this process administratively. It will be a change for the Borough staff. It is also too encourage conservation and give residents and businesses time to fix leaking faucets, etc. There is a conservation and education piece and an administrative piece. Adam Liebtag added that Robb Arent just got the information from New Jersey American Water Company. They will provide a draft ordinance to Council for the next meeting.

Adam Liebtag noted that the other issue was the laundromat. The Laundromat owner, John Mathieu, installed a water meter that we inspected and approved. We will be tracking it over a 45 day period. The meter was installed yesterday. Victor Gilardi took an initial reading. If we are not satisfied that there is a sufficient trend, we may go longer. John Mathieu has agreed to those rules.

Responding to William Sullivan, Adam Liebtag commented that we choose pocket months and they are not during the summer. Kids are home from school, people water lawns, fill pools, etc. We will have a provision in the ordinance that if you do not want to go with average, you can install your own meter. Attorney Cruz asked if the blended rate has to be reviewed by Bond Council? Adam Liebtag noted that the Borough has to demonstrate that they are collecting enough revenue to pay. We are putting together an ordinance. The earliest it can go into effect is next year because we are on that cycle. The new rate is derived by how much we need to operate and meet our commitment. The rate could fluctuate every year. If the usage fees go down, the operational fees may go up. Seth A. Grossman noted that we have to be able to cover our costs. Adam Liebtag stated that we will build in some assumptions into the formula. That is why we will do a two year phase in. We do not want to charge a higher fee if we do not have to. We will monitor the usage of those pocket months as a basis for the rate which will be reviewed each year. If you run more volume through the plant, you are using more chemicals, there will be more wear and tear, more oil will be used in the motors, etc. If there is development in town, that will be additional rent and hook up fees. That helps offset the sewer rents needed to be collected each year. Every dollar reduces the burden on the rate. William Sullivan asked if the nursing home will be hooked up to Frenchtown. Adam Liebtag responded that he heard it is a possibility and it would bring in more

revenue to the town.

### **Eighth Street properties/Area in need of Redevelopment study**

William Sullivan stepped down on this agenda item due to proximity.

Mayor Cooper reported that the Planning Board last week accepted the redevelopment study and we will get a recommendation for the Planning Board in time for the November meeting to designate the Eighth Street property as described in the study as areas in need of non-commendation redevelopment. Attorney Cruz noted that the Council will have the preliminary study and the resolution of the Planning Board. Council will have to adopt a resolution. That has to be sent to the DCA for review. Mayor Cooper noted that the Planning Board will vote on that resolution on the 4<sup>th</sup> Wednesday of this month. William Sullivan returned to the meeting.

### **COUNCIL COMMENTS**

Mayor Cooper reported that Frenchtown will participate in the Hunterdon 300<sup>th</sup> event on Saturday the 11<sup>th</sup>. They are going to do a Tavern Tour at the National Hotel from Noon to 3:00 pm. The guest speaker is Sal DeSapio. He knows the history of the area very well. The cost is \$40.00 which includes a luncheon.

Michele Liebttag stated that we did finally complete the Clean Up Day flyer. She thanked Brenda Shepherd for her help and noted that it was with the help of the Green Team and the Environmental Commission. The flyer will be legal size. Michele Liebttag also made note of the three upcoming County collection days: Electronic collection is October 11<sup>th</sup>, Community paper shed day is Saturday, November 1st and Hazardous Waste day is on November 8<sup>th</sup>. William Sullivan stated that for latex paint, you can take the lid off, let the can dry out and it can go into the trash.

Michele Liebttag commented that there is still an issue with the cleaning person at the Police Department. We need to be talked about it. Seth A. Grossman asked that she provide him with the specific issues.

Michele Liebttag noted that CPR and Defibrillator training was provided to the staff free of charge. She asked if a stipend could be provided to the trainer. Chief Kurylka stated that the trainer declined payment.

Seth A. Grossman noted that Dorsey Reading and Michael Margolis won a County Planning award for their building renovations. We are lucky to have those who specialize in historic structures. It fits the town real well and the Hunterdon County Planning Department acknowledge that. Michele Liebttag noted that there was stiff competition in that category. Mayor Cooper noted that it is the second time that Dorsey Reading won a County Planning Board award.

William Sullivan congratulated the school board on a successful election referendum. He congratulated Kate Nugent and noted that the school board does a very good job. They are wisely spending the money. He has never seen waste in the school. The referendum was for a construction project that was decided after a panel was put together which included seniors, parents, students, teachers, and residents. He was included on the panel. We put together what was best and went out to look for money. The work being done is needed badly. The roof is leaking and the warranty is about to expire. The windows do not stay open. The bathrooms are being brought up to standards. The group is now working very hard to educate the people. The school got a \$900,000.00 grant that will not be available again.

Mayor Cooper noted that the Council has asked me to speak with Diane Laudenbach about serving as the Borough's QPA. He needs to speak to her in person about it. Diane Laudenbach serves as the QPA in Kingwood Township which may provide an opportunity to share services.

**CORRESPONDENCE**

None discussed.

**ADJOURNMENT**

Being no further business to come before the Council, the meeting was adjourned at 10:32 pm on motion by William Sullivan, seconded by Michele Liebtag and carried by favorable voice vote.

Respectfully submitted,

---

Brenda Shepherd, RMC  
Borough Clerk